

CUSTOMER NO.: 38107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Examiner: C. SUNG
S. KULKARNI, et al.)	
)	Art Unit: 2884
Serial No.: 09/905,418)	
)	Confirmation: 4726
Filed: July 13, 2001)	
)	
For: NUCLEAR CAMERA)	
WITH OPEN AND)	
FLEXIBLE SOFTWARE)	
ARCHITECTURE)	
)	
Date of Last Office Action:)	
November 17, 2006)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
PHUS019011US / PKRZ 2 00876)	April 27, 2007

37 CFR 1.127 PETITION FOR ENTRY
OF THE AMENDMENT OF JANUARY 18, 2007

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On January 18, 2007, the appellant submitted an Amendment After Final concurrently with the filing of an Appeal Brief in order to present the rejected claims in better form for consideration on Appeal.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this 37 CFR 1.127 PETITION FOR ENTRY OF THE AMENDMENT OF JANUARY 18, 2007 and accompanying documents in connection with U.S. Serial No. 09/905,418 are being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

April 30, 2007
Date

Patricia A. Heim
Patricia A. Heim

Specifically, in preparation of the Appeal Brief, two typographical errors were noted in claim 20 and an inconsistency in antecedent basis was noted in claim 14. In particular, in claim 14, line 6, where the acquisition controller is first introduced, it was referenced as "the" acquisition controller. Then, in line 8, where the acquisition controller was referenced again, it was referenced as "an" acquisition controller. The amendment to claim 14 sought to merely reverse the out of order use of "an" and "the". In claim 20, lines 7 and 9, the appellants sought to correct a typographical error by replacing "couple" with "coupled". Neither of these amendments alter the scope of patent protection and neither would require further search or consideration. Rather, these amendments address potential claim objections or 35 U.S.C. § 112 indefiniteness objections which the Examiner had failed to raise.

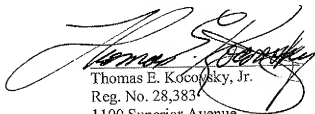
37 CFR 41.33(a) addresses amendments after the filing of the Notice of Appeal and refers to 37 CFR 1.116 as setting for the standard. 37 CFR 1.116(b)(2) indicates that:

An Amendment presenting rejected claims in better form for consideration on Appeal may be admitted.

Because the January 18, 2007 Amendment cures minor wording defects without affecting the scope of the claims and places the claims in better condition for consideration on Appeal, it is submitted that the January 18, 2007 Amendment should have been entered. It is requested that the Examiner be instructed to enter the January 18, 2007 Amendment.

Respectfully submitted,

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